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CABLE THOMLAW

CONFIDENTIAL

January 16, 1984

James F. Bycott, Esquire Office of Regional Counsel Environmental Protection Agency 345 Courtland Street, N.E. Atlanta, Georgia 30365

Re: Medley Site Investigation

Dear Jim:

This letter is in response to EPA's letter of November 23, 1983 to Sylvan Chemical Corporation in regard to the Medley Site. As you know, Sylvan Chemical Corporation's name has changed to Milliken Chemical.

- I have been reviewing the records available on transactions between Milliken Chemical and the Medleys. The investigation has progressed slowly since the transactions occurred several years ago and a number of personnel changes have occurred during this period of time. The results of my preliminary investigation are as follows:
- Milliken Chemical did not have any direct transactions with Mr. and Mrs. Ralph Medley or Mr. Clyde Medley. Milliken records indicate that Milliken transacted business with Medley's Concrete Works during the years of 1974 to 1976.

Payment records to Medley's Concrete Works are as follows:

<u>Date</u>	Amount
5/13/76	\$534.00
4/15/76	326.00
3/11/76	501.00
2/12/76	565.00
12/11/75	277.00
11/13/75	265.00
10/23/75	251.00
1975	111.00
1975	652.00
1975	237.00
5/15/75	150.00

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<u>Date</u>	Amount
4/17/75	\$354.00
3/13/75	156.00
2/13/75	216.00
12/12/74	507.00
11/24/74	192.00

I have been unable to locate any written contract between Medley's Concrete Works and Milliken Chemical. Two invoices from Medley's Concrete Works to Milliken Chemical are attached for your information. As you can see, the price paid for disposal of 55 gallon barrels was three dollars per barrel. The "buckets" disposed of at one dollar per bucket are 5 gallon safety cans.

2. As you are aware, the Medleys disposed of waste at two or more locations. The South Carolina Department of Health and Environmental Control has confirmed the existence of a permitted waste disposal site that was operated by the Medleys near Love Springs, South Carolina. This facility was operated by the Medleys during the period when the Medley's Concrete Works performed disposal activities for Milliken Chemical.

In your letter of November 23rd, you requested a description and volume calculation on the wastes disposed of by Milliken Chemical. Only a general description of the waste material is possible at this time--it consisted of various nonhazardous and hazardous textile organic chemicals as well as non-hazardous solid wastes. An approximate calculation of the total volumetric amount of waste disposed of by Medley's Concrete Works can be developed by dividing the total invoice amounts paid by the price paid per barrel or bucket. Based on the two sample invoices enclosed, it appears that approximately ten percent of the transactions consist of 5 gallon buckets. Therefore, the volumetric amount of wastes sold to Medley's Concrete Works is calculated as follows:

Total amount of invoices: \$5,294

5 gallon buckets sold = $10\% \times \$5,294 \times 5$ gallons = 2,645 gallons (or equivalent to twenty-four (24) 55 gallon barrels)

55 gallon barrels sold: (\$5,294 - \$529) : \$3 per barrel

= 1,588 barrels

Therefore, the total 55 gallon barrel equivalents sold to Medley's Concrete Works would equal 1,612 barrels.

It should be noted, however, that these calculations do not assume that certain barrels which were sold may have been partially empty or may have contained nonhazardous materials. These calculations also <u>do not</u> reflect Milliken's contribution (if any) to the Medley site or any other waste disposal

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site--this calculation represents the total amount of business done with Medley's Concrete Works.

It is my understanding that the EPA has not yet questioned the Medleys or obtained their records of disposal. My investigation into this matter would be aided by information developed during EPA's investigation of the Medleys. I would request that I be kept informed of your investigative efforts in regard to the Medleys.

I hope the enclosed information is helpful to your investigation. Please note that the information provided in this letter is not intended to act as any admission, either express or implied, by Milliken Chemical of any responsibility for conditions at the Medley waste site. I would also request that the contents of this letter be exempt from disclosure under the Freedom of Information Act pursuant to 40 C.F.R. Part 2.118(a)(4),(7) and all other appropriate provisions.

Please let me know if you have any further questions on this matter.

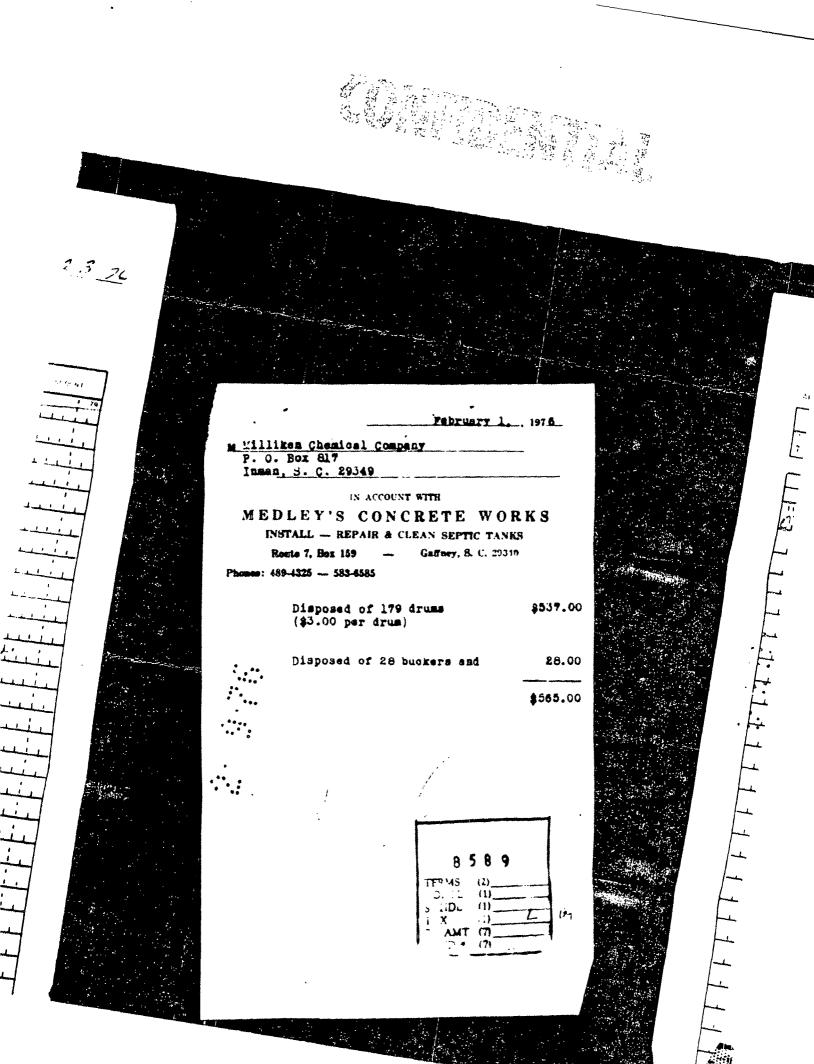
Very truly yours,

THOMPSON, MANN AND HUTSON

James W. Potter

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JWP/pm



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